

**DORSEY  
GATHERS  
PROOF  
AGAINST  
BIAS  
CHARGES**

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**Equips Himself for Bitter  
Fight Against New Trial  
Demand of**

# Frank's Lawyers.

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Armed with affidavits from A. H. Henslee and every other member of the Frank jury whose fairness has been placed under suspicion, Solicitor General Hugh M. Dorsey will return to Atlanta Tuesday night to continue the preparation of his answer to the motion for a new trial made by Frank's lawyers.

With his assistant, A. W. Stephens, the Solicitor has been working day and night on the monumental task of reviewing the hundreds of pages of typewritten manuscript submitted by the defense in the elaboration of their 115 reasons for a new trial. The work remaining to be done the Solicitor believes can be accomplished most effectively in his Atlanta office. He may ask for another week's postponement of the hearing on the motion.

Dorsey has equipped himself to make a bitter fight upon the charges of prejudice made by Frank's lawyers against Henslee, Marcellus, Johnenning and other jurors. He anticipates that the defense will lay greatest stress on this allegation and appreciates that if they are able to establish any degree of bias on the part of any of the jurors they will at once have a most important advantage, possibly sufficient to win a new trial.

## **Henslee Denies Prejudice.**

Henslee's affidavits deny categorically and emphatically every separate charge of biased utterances that has been made against him. They go into considerable detail in accounting for his movements before and after the trial to support Henslee's declaration that he expressed his belief in Frank's guilt after the trial was over and not before it took place. He asserts that he had no prejudice against Frank when he was drawn as a juror, but that, in common with the other eleven jurors, he believed firmly in his guilt after the evidence was in, and has so declared himself in making his trips about the State since the conclusion of the trial.

Henslee's depositions will be backed up by sworn statements of acquaintances, who will testify to his good character, his reputation for truthfulness and his trustworthiness. The same procedure has been followed by the Solicitor in respect to every other juror. While he will not give out the contents of the affidavits, he has expressed his confidence in his ability to show that the defense has no ground upon which to charge bias and prejudice against any of the jurors.

### **Frank Lawyers Also Active.**

While Dorsey has been reviewing section by section the defense's amended motion for a new trial. Frank's lawyers have been fortifying themselves more securely in their contention of bias and prejudice on the part of Henslee and other jurors. They have the testimony of leading citizens in several cities of the State to the effect that Henslee declared to them before the trial that Frank was guilty and that his neck should be broken. The depositions of these men have been bulwarked by a secondary line of affidavits attesting to the good character, reputation and trustworthiness of the originally affiants.

The attorneys for the defense feel assured that they have an overwhelming mass of evidence showing prejudice, and that they, therefore, must be granted a new trial.

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**DORSEY BACK WITH  
NEW**

# **AFFIDAVITS; MORE DELAY IN APPEAL FIGHT LIKELY**

Solicitor General Dorsey entered at once into the fight to prevent a new trial for Leo M. Frank on his return to Atlanta Wednesday morning. He came to this city to complete his preparation for the arguments set for hearing next Saturday before Judge L. S. Roan. For a week and a half, he had been working almost continually on the case in Valdosta, where he went with his assistant, A. E. Stephens, to avoid interruption.

The Solicitor was immersed Wednesday in a flood of letters and court documents that had accumulated during his absence. He was fearful that he would be unable to complete his preparations in time for the hearing Saturday, the indications being that a further delay would be asked until Wednesday or Saturday of next week.

He made arrangements soon after his return for a conference with the attorneys for the defense to whom he expected to suggest certain changes in the brief of evidence before it was brought into court.

## **Will Require More Time.**

These changes if agreed upon will require some time to complete and the Solicitor also has yet to follow up several lines of investigation which the calls of the defense have compelled him to look into.

Dorsey returned to the city with a sheaf of affidavits relating to the alleged bias of Jurors Henslee and Jochenning, but he has still a number of persons to interview on this matter which is being given extraordinary stress by the defense. The Solicitor would not say whether he had found any grounds for the charges of prejudice against the jurors, but the energetic manner with which he plunged into the case on his return appeared to indicate that he was preparing to combat every reason and every allegation advanced by the defense.

The large number of affidavits obtained by the defense was complicated the work of the Solicitor. Frank's lawyers not only obtained depositions charging that Henslee and other jurors had expressed their belief in Frank's guilt before the trial took place, but they rounded up scores of other leading citizens to testify to the trust worthiness and veracity of the original affiants.

It is believed that the Solicitor, if he pursues the thorough-going policy that marked his conduct of the Frank trial, will investigate the character and reputation of practically every man who has made a sworn statement before he goes into court to argue the question of a new trial.

### **Will Not Make Forecast.**

Solicitor Dorsey would not express his opinion Wednesday as to the probable outcome of the argument for a new trial, except to say that he was well satisfied with the work he had been able to accomplish while in Valdosta, where he went so as not to be subjected to the usual office interruptions. He is still working on the charges of bias against Henslee, but would not disclose the results of his investigation.

Frank's lawyers have been ready to go ahead with the hearing for some time, but during the delay necessitated by the Solicitor's review of their reasons they have continued in their investigation of Henslee's attitude toward Frank prior to the trial and claim to have uncovered a great deal more evidence of his bias and prejudice against the defendant.

They assert that on Henslee's remarks before the trial a new trial should be granted without the necessity of producing any other reasons. They are confident they will win in their fight.

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## **PDF PAGE 22, COLUMN 1**

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